

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ASA MILLER,

Plaintiff,

v.

LLOYD J. AUSTIN, III, in his official capacity as Secretary of Defense, U.S. Department of Defense; CARLOS DEL TORO, in his official capacity as Secretary of the Navy, Department of the Navy,

Defendants.

Case No. 4:22-cv-01739

JOINT STIPULATION OF DISMISSAL

Plaintiff Asa Miller (“**Plaintiff**”) and Defendants Lloyd J. Austin, III, in his official capacity as Secretary of Defense, U.S. Department of Defense and Carlos Del Toro, in his official capacity as Secretary of the Navy, Department of the Navy (“**Defendants**”) (Plaintiff and Defendants collectively the “**Parties**”), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on May 27, 2022, Asa Miller, a member of the Navy, filed a complaint for declaratory and injunctive relief in the above-captioned action alleging causes of action for violations of the Administrative Procedures Act, 5 U.S.C. § 551, et seq., 10 U.S.C. § 1107(a)(1), and 21 U.S.C. 360bbb-3 (the “**Lawsuit**”);

WHEREAS, Plaintiff and Defendants, through their respective counsel, have engaged in FRE 408 protected settlement discussions to amicably resolve the Lawsuit as stated herein.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties, by and through their respective counsel, that:

Joint Stipulation of Dismissal
4:22-cv-01739
06.21.2022

1. The Lawsuit is voluntarily dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each side to bear its own costs, attorney fees, and expenses; and
2. This stipulation may be signed in counterparts, and that electronic (PDF) signatures may be deemed originals for all purposes.

Dated: June 21, 2022

SIRI & GLIMSTAD LLP

By: /s/ Ursula Smith
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Joint Stipulation of Dismissal
4:22-cv-01739
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Dated: June 21, 2022

JULIE
By: REDLINGER

Digitally signed by JULIE
REDLINGER
Date: 2022.06.21 13:30:37
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Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing by CM/ECF, this 21st day of June, 2022.

/s/ Ursula Smith
Ursula Smith
(Texas Bar No. 24120532)